

COMMONWEALTH OF MASSACHUSETTS

**TOWN OF GRAFTON
ANNUAL TOWN MEETING
MAY 9, 2016**

MINUTES

The Annual Town Meeting for the Town of Grafton was held on Monday, May 9, 2016 in the Auditorium of the Grafton High School at 7:30 p.m.

Upon order of the Moderator Raymond Mead, 217 Brigham Hill Road, checkers were stationed at the entrances to the hall, using voting lists on which to check the names of those persons who entered.

The Moderator opened the meeting at 7:30 p.m. and welcomed all present.

Chairman of the Board of Selectmen Craig Dauphinais led in the Pledge of Allegiance.

Mr. Mead advised all present of the procedures used during Town Meeting.

Mr. Mead then appointed David Robbins, 92 George Hill Road, as Deputy Moderator.

Mr. Mead recognized Ginny Kremer, Town Counsel, Town Clerk, Donna Girouard, Doug Willardson, Assistant Town Administrator, and Tim McInerney, Town Administrator. Representative David Muradian was also recognized and spoke briefly about the House Budget.

Mr. Mead announced the Ribbon ceremony at One Grafton Common and resignations of Lisa Kelley from the Finance Committee and Dennis Flynn from the Board of Selectmen.

Town Clerk, Donna Girouard read the return of the warrant.

Chairman of the Finance Committee, David Libbey read the State of the Town.

Library Trustee members, Doug Bowman and Cynthia Zarriello presented the State of the Library.

ARTICLE 1. HEAR REPORTS OF OFFICES, BOARDS AND COMMITTEES

Upon motion of Brook Padgett, it was voted that the Town hear the reports of the several Town Officers, Boards and Committees, without taking an action thereon.

Board / Committee	Term
"WHAT IF" LPG FACILITY ADVISORY COMMITTEE	4 vacancies
AGRICULTURAL COMMISSION	2 Vacancies
BOARD OF REGISTRARS OF VOTERS	1 Vacancy
BYLAW STUDY COMMITTEE	2 Vacancies
CENTRAL MASS REGIONAL PLANNING COMMISSION	1 Vacancy
CHARTER REVIEW COMMITTEE	1 Vacancy
COMMISSION ON DISABILITY	2 Vacancies
CONSERVATION COMMISSION	1 Vacancy
CULTURAL COUNCIL	1 Vacancy
DPW ADVISORY COMMITTEE	1 Vacancy
ECONOMIC DEVELOPMENT COMMISSION	2 Vacancies
EMERGENCY MANAGEMENT	1 Vacancy
ENERGY STUDY COMMITTEE	2 Vacancies
FARNUMSVILLE FIREHOUSE COMMITTEE	7 Vacancies
FINANCE COMMITTEE	2 Vacancies
HISTORIC DISTRICT COMMISSION	2 Vacancies
HISTORICAL COMMISSION	1 Vacancy
INSTITUTIONAL BIOSAFETY COMMITTEE	2 Vacancies
LIBRARY PLANNING & BUILDING COMMITTEE	1 Vacancy
MCMAMARA MEMORIAL SCHOLARSHIP COMMITTEE	1 Vacancy
MILL VILLAGES ADVISORY COMMITTEE	2 Vacancies
RECREATION COMMISSION	1 Vacancy
RECYCLING COMMITTEE	1 Vacancy
TOWN HOUSE OVERSIGHT COMMITTEE	1 Vacancy

The Moderator declared the motion carried.

ARTICLE 2. APPOINT TRUSTEE OF NELSON PARK AND LIBRARY

Upon motion of Craig Dauphinais, it was voted to appoint William Kuck as a Trustee of the Nelson Park and Memorial Library and Building Fund for a term of three years.

The Moderator declared the motion carried.

ARTICLE 3. TOWN'S SHARE OF NET OPERATING COSTS – BLACKSTONE VALLEY VOCATIONAL REGIONAL SCHOOL DISTRICT

Upon motion of Jennifer Thomas, it was voted to raise and appropriate the sum of \$689,507, for the purpose of paying the Town's share of the net operating costs of the Blackstone Valley Vocational Regional School District (the "District") for the Fiscal Year commencing July 1, 2016.

The Moderator declared the motion carried.

ARTICLE 4. BLACKSTONE VALLEY VOCATIONAL SCHOOL – PRINCIPAL AND INTEREST

Upon motion of Bruce Spinney, it was voted to raise and appropriate \$54,837, to fund the principal and interest costs for FY17 to be incurred by the Blackstone Valley Vocational Regional School District for its capital expansion project.

The Moderator declared the vote carried.

ARTICLE 5. FY17 BUDGETS

Upon motion of Dennis Flynn, it was voted to raise and appropriate \$51,724,946, and raise \$1,419,963 from Sewer Receipts, and transfer \$38,688 from Sewer Betterments, all as recommended by the Town Administrator and as shown in the Finance Committee's printed report for the purpose of funding the operation of the several Town Departments in the Fiscal Year beginning July 1, 2016.

The Moderator declared the vote carried.

ARTICLE 6. FUND FY17 CAPITAL EXPENDITURE BUDGET

Upon motion of Brook Padgett, it was voted to appropriate from Free Cash \$1,113,911, and transfer \$30,159.22 from available sources (listed in the Warrant as table 1), for the purposes of funding the FY17 Capital Expenditure Budget (as detailed in the Warrant as table 2), said sums to be spent under the direction of the Board of Selectmen and Town Administrator.

The Moderator declared the motion carried.

ARTICLE 7. FIRE TANKER APPROPRIATION FROM DEBT EXCLUSION

Upon motion of Craig Dauphinais, it was voted to pass over this article.

The Moderator declared the motion carried.

ARTICLE 8. FIRE PUMPER APPROPRIATION FROM DEBT EXCLUSION

Upon motion of Jennifer Thomas, it was voted to pass over this article.

The Moderator declared the vote carried.

ARTICLE 9. DPW FACILITY APPROPRIATION FROM DEBT EXCLUSION

Upon motion of Dennis Flynn, it was voted to appropriate and/or transfer from available funds a sum of money not to exceed \$13,895,000 for pre-construction, construction, equipping, and furnishing a new DPW Facility to be located at 48 Old Westboro Road, said sum to be expended under the direction of the DPW Facility Building Committee, and to meet said appropriation, the Treasurer with the approval of the Board of Selectmen is authorized to borrow said sum under M.G.L. Chapter 44 or any other enabling authority; provided that any appropriation hereunder shall be subject to and contingent upon an affirmative vote of the Town to exempt the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. 59, Section 21C (Proposition 2 ½).

The Moderator declared the motion defeated as it did not meet the two-thirds required vote.

ARTICLE 10. REAUTHORIZATION OF EXCESS BORROWING PROCEEDS – CENTRAL FIRE STATION

Upon motion of Bruce Spinney, it was voted to pass over this article.

ARTICLE 11. TRUST FOR SOLDIERS AND SAILORS MEMORIALS

Upon motion of Ken Sherman, it was voted to raise and appropriate the sum of \$2,500 for the operation of the Trust for Soldiers and Sailors Memorials in Grafton for FY2017.

The Moderator declared the motion carried.

ARTICLE 12. FIRE DEPARTMENT INSURANCE SUPPLEMENT

Upon motion of Craig Dauphinais, it was voted to raise and appropriate one thousand dollars (\$1,000.00), for the purpose of funding the Fire Department Insurance Supplement established under Article 15 of the March 16, 1987, Special Town Meeting, which is used for the purpose of paying not more than 75.00% of a firefighter's gross pay in case of injury while on duty as specified in Article 15 of the March 16, 1987, Special Town Meeting.

The Moderator declared the motion carried.

ARTICLE 13. AUTHORIZE TREASURER/COLLECTOR TO BORROW MONEY

Upon motion of Jennifer Thomas, it was voted to authorize the Treasurer/Collector, with the approval of the Board of Selectmen, to borrow money from time to time in anticipation of revenue of the fiscal year beginning July 1, 2016, in accordance with the provisions of the Massachusetts General Laws, Chapter 44, Section 4, and amendments thereto, and to issue a note or notes as may be given for a period of less than one year in accordance with Massachusetts General Laws, Chapter 44, Section 17, and amendments thereto.

The Moderator declared the motion carried.

ARTICLE 14. UNEMPLOYMENT COMPENSATION

Upon motion of Bruce Spinney, it was voted to raise and appropriate the sum of \$45,000, said sum to be added to the Unemployment Compensation Account, for the purpose of paying the Unemployment Compensation expenses of the Town.

The Moderator declared the motion carried.

ARTICLE 15. WASTEWATER TREATMENT FACILITY UPGRADE

Upon motion of Dennis Flynn, it was voted to transfer the sum of \$274,686 from Sewer Retained Earning Account #25-440-145-3590 to the account entitled "Plant Upgrade/Expansion" #25-800-6440-6068.

The Moderator declared the motion carried.

ARTICLE 16. WASTEWATER TREATMENT FACILITY UPGRADE

Upon motion of Brook Padgett, it was voted to transfer the sum of \$225,000 from Sewer Retained Earnings Account #25-440-145-3590 to the account entitled "Major Equipment Repair/Replacement" #25-800-6440-6069.

The Moderator declared the motion carried.

ARTICLE 17. FUNDING FOR TRANSPORTATION SERVICES FROM WRTA

Upon motion of Craig Dauphinais, it was voted to authorize the Board of Selectmen to request funding of transportation services from the WRTA, and to contract for and provide elderly bus services for the Town of Grafton for the period of July 1, 2016, through June 30, 2017.

The Moderator declared the motion carried.

ARTICLE 18. STORAGE SHELVES

Upon motion of Jennifer Thomas, it was voted to raise and appropriate \$70,000 to purchase and install moving shelf systems in the vault in the Town Clerk's Office and Records Storage Room.

The Moderator declared the motion carried.

ARTICLE 19. FIRE HYDRANTS– GRAFTON WATER DISTRICT

Upon motion of Bruce Spinney, it was voted to accept the following hydrants from the Grafton Water District:

- #643 6 White Flower Lane
- #644 14 White Flower Lane
- #645 8 Bay Colony Circle
- #646 Patriot Way at Brigham Hill Road
- #647 Patriot Way
- #657 MaryAnn Drive

The Moderator declared the motion carried.

ARTICLE 20. CIVIL SERVICE HOME RULE PETITION

Motion was made by Dennis Flynn to authorize the Board of Selectmen to petition the state Legislature to enact legislation to remove all newly hired sworn police officer positions in the Grafton Police Department from the provisions of the civil service laws, provided, however, that the state Legislature may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments thereto before enactment, which amendments shall be within the public purposes of said petition.

The Moderator declared the motion carried.

ARTICLE 21. TRANSPORTATION BOND BILL

Upon motion of Brook Padgett, it was voted to appropriate the sum of \$500,310 as an available source as requested by the Board of Selectmen for the purpose of construction, reconstruction, and improvements, including surface treatments and other incidental work, said sum to be reimbursed by the Commonwealth under the provisions of the Transportation Bond Bill, so-called, and amendments thereto.

The Moderator declared the motion carried.

ARTICLE 22. AUTHORIZE BOARD TO ACCEPT & ENTER INTO CONTRACTS

Upon motion of Craig Dauphinas, it was voted to authorize the Board of Selectmen to accept and enter into contracts for the expenditure of any funds allotted by the

Commonwealth of Massachusetts for construction, reconstruction, or improvements to public roads.

The Moderator declared the motion carried.

ARTICLE 23. LAKE QUINSIGAMOND COMMISSION

Upon motion of Jennifer Thomas, it was voted to pass over this article.

The Moderator declared the motion carried.

ARTICLE 24. SALE OF SURPLUS PROPERTY

Upon motion of Bruce Spinney, it was voted to authorize the Board of Selectmen, pursuant to Article 4, Section 9, of the Town By-Laws, to sell a 1992 Bandit Chipper Model 250 under such terms and conditions as it deems appropriate.

The Moderator declared the motion carried.

ARTICLE 25. CABLE TELEVISION PUBLIC, EDUCATIONAL, AND GOVERNMENTAL ACCESS SPECIAL REVENUE FUNDS

Upon motion of Dennis Flynn, it was voted to accept General Laws Chapter 44, Section 53F¾, which establishes a special revenue fund known as the PEG Access and Cable Related Fund, to reserve cable franchise fees and other cable-related revenues for appropriation to support PEG access services and oversight and renewal of the cable franchise agreement, the fund to begin operation for fiscal year 2017, which begins on July 1, 2016.

The Moderator declared the motion carried.

ARTICLE 26. REAUTHORIZE REVOLVING ACCOUNTS

Upon motion of Brook Padgett, it was voted to reauthorize the revolving accounts as specified in the warrant, pursuant to Massachusetts General Laws Chapter 44, Section 53 E ½ for Fiscal Year 2017.

The Moderator declared the motion carried.

ARTICLE 27. TAX INCREMENT FINANCING AGREEMENT

Upon motion of Craig Dauphinais, it was voted to authorize the Board of Selectmen to enter into a Tax Increment Financing Agreement with 103 Worcester Street, LLC, pursuant to the provisions of M.G.L. Chapter 40, Section 59, in connection with the development of property located at 103 Worcester Street, Grafton, as shown as Assessor's Map 46, Parcel 19, and as described in the Economic Development

Incentive Program Application prepared by Tina Theroux, DMD, and to authorize the submission of such application to the Economic Assistance Coordinating Council and permit the Board of Selectmen to take such action as is necessary to obtain approval of the Application and to implement the Tax Increment Financing Plan.

Joel Schwedemann, Chairman of the Finance committee advised that the Finance Committee has reconsidered and now supports the article.

The Moderator declared the motion carried.

ARTICLE 28. CPC - OPERATING BUDGET

Upon motion of Jennifer Thomas, it was voted to authorize the use of ten thousand dollars (\$10,000) of the fiscal year 2017 Community Preservation revenues, for the purpose of funding the operating budget of the Community Preservation Committee (CPC).

The Moderator declared the motion carried.

ARTICLE 29. CPC - PELL FARM BOND PAYMENT

Upon motion of Bruce Spinney, it was voted to appropriate the sum of \$89,025 from the fiscal year 2017 Community Preservation revenues for the purpose of making the interest and principle payments on the \$1.2 million bond issued for the purchase of the Pell Farm property.

The Moderator declared the motion carried.

ARTICLE 30. CPC - GRAFTON TOWN HOUSE BOND PAYMENT

Upon motion of Dennis Flynn, it was voted to appropriate the sum of \$75,150 from the fiscal year 2017 Community Preservation revenues, for the purpose of making the interest and principle payments on the \$1.1 million bond issued for the renovation of the Grafton Town House.

The Moderator declared the motion carried.

31. CPC – AFFORDABLE HOUSING TRUST

Upon motion of Brook Padgett, it was voted to transfer the sum of \$49,149 from the CPA Affordable Housing Reserve account to the Grafton Affordable Housing Trust, with such funds to be used in accordance with the CPA guidelines for community housing.

The Moderator declared the motion carried.

32. CPC – CISCO HOMESTEAD RESTORATION PROJECT

Motion was made by Craig Dauphinais, it was voted to appropriate the sum of \$25,500 from the Community Preservation Fund Historic Preservation Reserve account for the purpose of restoring the Cisco Homestead on Brigham Hill Road.

The Moderator declared the motion carried.

ARTICLE 33. CPC – TEXTILE AND SHOE CONSERVATION PROJECT SUNSET EXTENSION

Upon motion of Jennifer Thomas, it was voted to extend the sunset provision for the Textile and Shoe Conservation Project until June 30, 2017.

The Moderator declared the motion carried.

ARTICLE 34. CPC – SILVER LAKE BEACH IMPROVEMENTS

Upon motion of Bruce Spinney, it was voted to appropriate the sum of \$54,820 from the Community Preservation Undesignated Fund account for the purpose of Silver Lake Beach Improvements.

The Moderator declared the motion carried.

ARTICLE 35. CPC – OPEN SPACE AND RECREATION PLAN

Upon motion of Dennis Flynn, it was voted to appropriate the sum of \$18,000 from the Community Preservation Undesignated Fund account for the purpose of funding an update to the Open Space and Recreation Plan.

The Moderator declared the motion carried.

Ray Mead recused himself from discussion on the following article and appointed Dave Robbins to officiate the vote.

ARTICLE 36. CPC – STONE ARCH BRIDGE PROJECT

Upon motion of Brook Padgett, it was voted to appropriate \$221,700 from the Community Preservation Historic Preservation Reserves Fund and Community Preservation Undesignated Fund accounts for the purpose of preserving the Stone Arch Bridge in North Grafton.

Michael Scully, Chairman of the Economic Development Committee advised that the Economic Development Committee supports the article.

The Deputy Moderator declared the motion carried.

ARTICLE 37. CPC – RIVERWALK FEASIBILITY STUDY

Upon motion of Craig Dauphinais, it was voted to appropriate the sum of \$12,500 from the Community Preservation Undesignated Fund account for the purpose of funding the Fisherville Mill Riverwalk Feasibility Study.

The Moderator declared the motion carried.

ARTICLE 38. CHANGE OF SENIOR TAX BILL WORK OFF PROGRAM

Upon motion of Jennifer Thomas, it was voted to adopt a local option under Massachusetts General Laws Chapter 59, Section 5k, which allows the maximum reduction of the real property tax bill for senior work-off abatements to be based on one hundred twenty five (125) volunteer service hours in a given tax year, rather than one thousand dollars (\$1,000).

The Moderator declared the motion carried.

ARTICLE 39: CREATE NEW USE TABLE CATEGORIES FOR “ARTISTS LIVE/WORK/GALLERY,” “LARGE FAMILY CHILD CARE HOME,” AND “CONTRACTOR’S YARD”

Upon motion of Bruce Spinney, it was voted to create new use table categories for: artists live/work/gallery; large family child care home; and contractor’s yard, all as set forth in the Warrant.

Sargon Hanna, Chairman of the Planning Board, read the Planning Board report.

The Moderator declared the motion carried by the required two-thirds vote.

ARTICLE 40. USE TABLE AMENDMENT FOR “OTHER EATING AND DRINKING ESTABLISHMENTS”

Upon motion of Dennis Flynn, it was voted to amend Business Use 7, entitled “Other Eating and Drinking Establishments,” as set forth in the Warrant.

Sargon Hanna, Chairman of the Planning Board, read the Planning Board report.

The Moderator declared the motion carried by the required two-thirds vote.

ARTICLE 41. AMENDING DEFINITIONS AND USE TABLE SECTIONS OF THE ZONING BYLAW TO INCLUDE BREWERIES/ MICROBREWERY/ NANO BREWERY/ BREWPUB

Upon motion of Bruce Spinney, it was voted to amend the definitions and use table of the Zoning By-law to include breweries, microbrewery, nano-brewery, and brewpub, as set forth in the Warrant.

Sargon Hanna, Chairman of the Planning Board, read the Planning Board report.

The Moderator declared the motion carried by the required two-thirds vote.

ARTICLE 42. AMENDMENT TO THE GRAFTON ZONING BY-LAWS ZBL DEFINITIONS AND USE TABLE FOR MEDICAL MARIJUANA

Upon motion of Craig Dauphinais, it was voted to amend the Grafton Zoning By-laws, ZBL definitions and Use Regulation Table, as set forth in the Warrant, excepting that in Business Uses #23 “Off-site Medical Marijuana Dispensary (OMMD)”, a special permit will be required within the Community Business, Industrial and Office/Light Industrial zones as set forth in the Planning Board report.

Motion was made by Jim Gallagher, 31 Hollywood Drive to amend the motion.

The moderator declared the amended motion defeated as it did not meet the required two-thirds vote.

The Moderator declared the original motion carried by the required two-thirds vote.

Sargon Hanna, Chairman of the Planning Board, read the Planning Board report.

The Moderator declared the motion carried by the required two-thirds vote.

ARTICLE 43. AMEND THE WATER SUPPLY OVERLAY PROTECTION DISTRICT

Upon motion of Jennifer Thomas, it was voted to amend the Water Supply Overlay Protection District as set forth in the Warrant.

Sargon Hanna, Chairman of the Planning Board, read the Planning Board report.

The moderator declared the motion carried by the required two-thirds vote.

ARTICLE 44. AMENDMENT TO GRAFTON ZONING BY-LAWS- ZBL DEFINITIONS SECTION 2.1

Upon motion of Bruce Spinney, it was voted to the Grafton Zoning By-laws ZBL definitions as printed in the Warrant.

Sargon Hanna, Chairman of the Planning Board, read the Planning Board report.

The moderator declared the motion carried by the required two-thirds vote.

ARTICLE 45. PETITION STATE LEGISLATURE FOR AN EASEMENT ALONG INSTITUTE ROAD

Upon motion of Dennis Flynn, it was voted to petition the State Legislature to grant an easement along Institute Road as set forth in the Warrant.

The moderator declared the motion carried.

ARTICLE 46. AMENDMENT TO THE GRAFTON ZONING BY-LAW SECTION FISHERVILLE 40R

Upon motion of Brook Padgett, it was voted to amend the Grafton Zoning By-law, Section Fisherville 40R, as set forth in the Warrant.

Sargon Hanna, Chairman of the Planning Board, read the Planning Board report.

The moderator declared the motion carried by the required two-thirds vote.

ARTICLE 47. VILLAGE MIXED USE DISTRICT AMENDMENTS

Upon motion of Craig Dauphinais, it was voted to amend the Village Mixed Use District, as set forth in the Warrant.

Sargon Hanna, Chairman of the Planning Board, read the Planning Board report.

The moderator declared the motion carried by the required two-thirds vote.

ARTICLE 48. LOT PERIMETER AMENDMENTS

Upon motion of Jennifer Thomas, it was voted to amend the Zoning By-law provisions regarding lot perimeters as set forth in the Warrant.

Sargon Hanna, Chairman of the Planning Board, read the Planning Board report.

The moderator declared the motion carried by the required two-thirds vote.

ARTICLE 49. AMEND GENERAL BY-LAW VOTE TO AMEND ARTICLE 11

Upon motion of Bruce Spinney, it was voted to amend the General By-law Article 11 as set forth in the Warrant.

The moderator declared the motion carried.

ARTICLE 50. DOG LICENSE FEE

Upon motion of Dennis Flynn, it was voted to accept the provisions of MGL, Chapter 140, Section 139(c), "No fee shall be charged for a license for a dog owned by a person aged 70 or over in a city or town that accepts this provision."

The moderator declared the motion carried.

ARTICLE 51. BYLAW AMENDMENT/ANIMAL CONTROL REGULATIONS

Upon motion of Brook Padgett, it was voted to pass over the article.

The moderator declared the motion carried.

Motion was made to adjourn at 10:53 pm.

The Moderator declared the motion carried

A true copy,
Attest,

Donna M. Girouard
Town Clerk